

EXECUTIVE ORDERS

(11) The implications of Federal revenue sharing for the financing of public and non-public education.

(12) The implications of possible changes in the public welfare system and in the program of aid to Federally-impacted areas for school services and for the financing of public and non-public education.

(13) The ways to achieve possible efficiencies in the use of educational facilities and personnel.

(14) The advantages and disadvantages of changing the organization of public education on the State and local level and of consolidating some districts and decentralizing others.

(15) Ways of altering the distribution of Federal education funds so as to simplify and improve their usefulness for State, local and non-public education agencies.

(16) The adequacy of present data concerning the distribution of Federal, State, and local education funds among States, communities, neighborhoods, and individual schools within districts, and ways of improving the collection and use of such data.

(17) Existing measures of the results of schooling, possible improvements in helping local schools make such measurements, and ways to enable schools to compare their results with schools in similar circumstances.

(18) Such other matters as the Commission finds it necessary to study in order to treat adequately those mentioned above.

Sec. 3. Assistance to the Commission. (a) The Commission is authorized to appoint such personnel as it deems necessary, to fix their compensation in accordance with law, to obtain services in accordance with the provisions of 5 U.S.C. 3109,²⁶ and to enter into contracts for the conduct of studies necessary to the performance of its functions.

(b) In compliance with the provisions of applicable law, and as necessary to serve the purposes of this order, (1) the Department of Health, Education, and Welfare shall provide or arrange for necessary administrative and staff services, support, and facilities for the Commission, and (2) each executive department or agency shall furnish the Commission such information and other assistance as may be available.

Sec. 4. Reports and Termination. The Commission shall present such interim reports to the President as the President or the Commission shall deem appropriate. The Commission shall present its final report not later than two years from the date of this order. The Commission shall terminate thirty days following the submission of its final report.

RICHARD NIXON.

THE WHITE HOUSE,
March 3, 1970.

No. 11514

March 7, 1970, 35 F.R. 4247

PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY

By virtue of the authority vested in me as President of the United States and in furtherance of the purpose and policy of the National Environmental Policy Act of 1969 (Public Law No. 91-190, approved January 1, 1970),²⁷ it is ordered as follows:

Section 1. Policy. The Federal Government shall provide leadership in protecting and enhancing the quality of the Nation's environment to sustain and enrich human life. Federal agencies shall initiate measures needed to direct their policies, plans and programs so as to meet national environmental goals. The Council on Environmental Quality, through

26. 5 U.S.C.A. § 3109.

27. 42 U.S.C.A. § 4321 et seq.

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the Chairman, shall advise and assist the President in leading this national effort.

Sec. 2. Responsibilities of Federal Agencies. Consonant with Title I of the National Environmental Policy Act of 1969,²⁸ hereafter referred to as the "Act", the heads of Federal agencies shall:

(a) Monitor, evaluate, and control on a continuing basis their agencies' activities so as to protect and enhance the quality of the environment. Such activities shall include those directed to controlling pollution and enhancing the environment and those designed to accomplish other program objectives which may affect the quality of the environment. Agencies shall develop programs and measures to protect and enhance environmental quality and shall assess progress in meeting the specific objectives of such activities. Heads of agencies shall consult with appropriate Federal, State and local agencies in carrying out their activities as they affect the quality of the environment.

(b) Develop procedures to ensure the fullest practicable provision of timely public information and understanding of Federal plans and programs with environmental impact in order to obtain the views of interested parties. These procedures shall include, whenever appropriate, provision for public hearings, and shall provide the public with relevant information, including information on alternative courses of action. Federal agencies shall also encourage State and local agencies to adopt similar procedures for informing the public concerning their activities affecting the quality of the environment.

(c) Insure that information regarding existing or potential environmental problems and control methods developed as part of research, development, demonstration, test, or evaluation activities is made available to Federal agencies, States, counties, municipalities, institutions, and other entities, as appropriate.

(d) Review their agencies' statutory authority, administrative regulations, policies, and procedures, including those relating to loans, grants, contracts, leases, licenses, or permits, in order to identify any deficiencies or inconsistencies therein which prohibit or limit full compliance with the purposes and provisions of the Act. A report on this review and the corrective actions taken or planned, including such measures to be proposed to the President as may be necessary to bring their authority and policies into conformance with the intent, purposes, and procedures of the Act, shall be provided to the Council on Environmental Quality not later than September 1, 1970.

(e) Engage in exchange of data and research results, and cooperate with agencies of other governments to foster the purposes of the Act.

(f) Proceed, in coordination with other agencies, with actions required by section 102 of the Act.²⁹

Sec. 3. Responsibilities of Council on Environmental Quality. The Council on Environmental Quality shall:

(a) Evaluate existing and proposed policies and activities of the Federal Government directed to the control of pollution and the enhancement of the environment and to the accomplishment of other objectives which affect the quality of the environment. This shall include continuing review of procedures employed in the development and enforcement of Federal standards affecting environmental quality. Based upon such evaluations the Council shall, where appropriate, recommend to the President policies and programs to achieve more effective protection and enhancement of environmental quality and shall, where appropriate, seek resolution of significant environmental issues.

(b) Recommend to the President and to the agencies priorities among programs designed for the control of pollution and for enhancement of the environment.

28. 42 U.S.C.A. § 4331.

29. 42 U.S.C.A. § 4332.

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(c) Determine the need for new policies and programs for dealing with environmental problems not being adequately addressed.

(d) Conduct, as it determines to be appropriate, public hearings or conferences on issues of environmental significance.

(e) Promote the development and use of indices and monitoring systems (1) to assess environmental conditions and trends, (2) to predict the environmental impact of proposed public and private actions, and (3) to determine the effectiveness of programs for protecting and enhancing environmental quality.

(f) Coordinate Federal programs related to environmental quality.

(g) Advise and assist the President and the agencies in achieving international cooperation for dealing with environmental problems, under the foreign policy guidance of the Secretary of State.

(h) Issue guidelines to Federal agencies for the preparation of detailed statements on proposals for legislation and other Federal actions affecting the environment, as required by section 102(2) (C) of the Act.

(i) Issue such other instructions to agencies, and request such reports and other information from them, as may be required to carry out the Council's responsibilities under the Act.

(j) Assist the President in preparing the annual Environmental Quality Report provided for in section 201 of the Act.³⁰

(k) Foster investigations, studies, surveys, research, and analyses relating to (i) ecological systems and environmental quality, (ii) the impact of new and changing technologies thereon, and (iii) means of preventing or reducing adverse effects from such technologies.

Sec. 4. Amendments of E.O. 11472. Executive Order No. 11472 of May 29, 1969, including the heading thereof,³¹ is hereby amended:

(1) By substituting for the term "the Environmental Quality Council" wherever it occurs, the following: "the Cabinet Committee on the Environment".

(2) By substituting for the term "the Council", wherever it occurs, the following: "the Cabinet Committee".

(3) By inserting in subsection (f) of section 101, after "Budget," the following: "the Director of the Office of Science and Technology,".

(4) By substituting for subsection (g) of section 101 the following:

"(g) The Chairman of the Council on Environmental Quality (established by Public Law 91-190) shall assist the President in directing the affairs of the Cabinet Committee."

(5) By deleting subsection (c) of section 102.

(6) By substituting for "the Office of Science and Technology", in section 104, the following: "the Council on Environmental Quality (established by Public Law 91-190)".

(7) By substituting for "(hereinafter referred to as the 'Committee')", in section 201, the following: "(hereinafter referred to as the 'Citizens' Committee')".

(8) By substituting for the term "the Committee", wherever it occurs, the following: "the Citizens' Committee".

RICHARD NIXON.

THE WHITE HOUSE,
March 5, 1970.

30. 42 U.S.C.A. § 4341.

31. 16 U.S.C.A. § 17k note.